

**FILED**

Sep 08 2022

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

Plaintiff's Name VINCENT ROBERT MACKAY  
Prisoner No. E-21735 I-W-30  
Institutional Address SAN QUENTIN STATE  
PRISON, SAN QUENTIN, CA, 94974

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Vincent Robert Mackay  
(Enter your full name)

v.

Case No. 22-cv-05105 SK (PR)  
(Provided by the clerk upon filing)

Robert Bloomfield (warden) Molinaran (CFC)  
(Sgt) BAKER (LT) TEIXEIRA (Sgt) CUERVO,  
(CCIT) TAFOLA, COUNSELOR BAKER,  
J. Bishop (CDW), Kristina Reynoso, et al.  
(Enter the full name(s) of all defendants in this action)

COMPLAINT BY A PRISONER  
UNDER THE CIVIL RIGHTS ACT,  
42 U.S.C. § 1983

**I. Exhaustion of Administrative Remedies.**

You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.

A. Place of present confinement SAN QUENTIN

B. Is there a grievance procedure in this institution? ☒ YES ☐ NO

C. If so, did you present the facts in your complaint for review through the grievance procedure?  
☒ YES ☐ NO

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: Sent to appeals coordinator after seeking  
remedy through counselors, Records, Captains, other staff  
TO NO AVAIL - THEY SHOWED NO INTEREST IN HELPING.

2. First formal level: log # 6094, date 8-12-2020, TOLD my claim was invalid, nothing  
in C-File / log # 7116159, log # 186156, NOV 11<sup>th</sup>, 2021, DENIED by OOC / case # 600202200012

2-4-2022 sent to Board of Prison Psychology, STATED will investigate, possibly "2 yrs to respond"  
log # 226250, DENIED BASED ON "FAKE" RVR log # 7131842, ALSO

3. Second formal level: <sup>log#</sup>6094, AFTER BEING TOLD INVESTIGATED, NOTHING IN C-FILE, ON 3-17-2021, I FOUND OUT "false" document still in my file! <sup>log#</sup>186156, received memo STATING OFFICE OF APPEALS Fail to meet time constraint (not processed) false document!
4. ~~Third formal level:~~ <sup>log#</sup>226250, BASED ON FAKE RVR, WAS INTERCEPTED BY OOG, AND DENIED. IT WAS RESUBMITTED TO COA, BUT INTERCEPTED AND MANIPULATED BY OFFICE OF GRIEVANCES, (~~COA~~) COA (OFFICE OF APPEALS, OOG (OFFICE OF GRIEVANCES) ON GROUNDS OF SAN QUENTIN PRISON.

E. Is the last level to which you appealed the highest level of appeal available to you?

☒ YES

☐ NO

F. If you did not present your claim for review through the grievance procedure, explain why.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## II. Parties.

A. If there are additional plaintiffs besides you, write their name(s) and present address(es).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. For each defendant, provide full name, official position and place of employment.

KRISTINA LEE ANNE REYNOSO, FORENSIC PSYCHOLOGIST, CALIFORNIA BOARD OF PSYCHOLOGY  
~~LEE~~ LIEUTENANT TEIXEIRA, SAN QUENTIN STATE PRISON / SGT BAKER, SAN QUENTIN  
SGT CUERVOS, SAN QUENTIN PRISON / COUNSELOR DELLA BAKER, SAN QUENTIN /  
CCII TAFUYA, SAN QUENTIN / ROBERT BROOMFIELD, WARDEN, SAN QUENTIN /  
AND DOES 1 thru 50, et. AL.

## III. Statement of Claim.

State briefly the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

OVER THE PAST FEW YEARS I KEPT DISCOVERING FALSE, "VIOLENCE BASED," INFORMATION AND DOCUMENTS IN MY C-FILE THAT DO NOT BELONG THERE. I'M A 3rd STRIKE, NON-VIOLENT INMATE, BUT THEY'VE CLASSIFIED ME OVER 15 YEARS AS "VIOLENT"! CCI BAKER PUT DOCUMENT REFLECTING KIDNAP FOR RANSOM and 1st degree robbery in file on 4-21-2015, I DISCOVERED THIS 6-14-2020, DURING REVIEW OF MY FILE



I asked my counselor how it got in my File, she claimed she did not know... BUT her signature is on it! I filed a grievance, it was denied based on investigation, they said the claim was invalid, NOTHING in File, Appeal # 6094, 8-12-2020. 7 months later, I again review my File... its still in there! They lied! <sup>(2) claim</sup> I Recently, 10-?-2021, had early parole hearing (Prop 57) I was given a risk assessment by California Board of Psychology, Forensic Psychologist Kristina Reynoso. I was given a High Risk For violence with potential for greater violence, based on a 2016 unanalysis test positive for small amount of THC (MARIJUANA) she wrote a "ten page document," using this dirty test and self admitted (trying to be honest) one other time usage, over a 22 year period, and weaved an assessment of violence based on it! She doesn't provide one vestige of ACTUAL violence in the document! SHE EVEN TITLES ONE SECTION: Prior History of Violence, but provides absolutely NOTHING in it! CLAIM (3) Asking about my relationships with women, I reveal I've always been a push-over and deferential toward women's feelings, TO WHICH I've often at their request, lived with them against my internal wishes... Reynoso put in the assessment that, "I was trading sex for housing!" THE board, based on my complaint, admitted I should not have a High risk assessment and that they don't use assessments in making their judgements, but that's exactly what they did. I was denied 3 years and told don't get any write-ups! I've gotten 4 completely illegitimate write ups. 2 were requested by their author removed, but appeals process refused 2, generated by Sgt BAKER. ONE clearly is another inmates violations, but out of spite and perhaps conspiracy, it was given to me, RVR # 716159. THERE IS MUCH more to this broad issue, but

**IV. Relief.** I believe the over all "intent" in generating false violence based documents MAKES IT EASIER TO KEEP ME IN PRISON!

Your complaint must include a request for specific relief. State briefly exactly what you want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

I want all False documents and information removed From my C-File. THEY Admitted, and finally removed "violence designation" (15 yrs later) From File. THE write-ups that Food manager GARCIA asked Captain MAXFIELD to remove, be removed (retracted!) SHE said she would remove it, but later did not, and now its been made difficult for me to have removed being the appeal process is broken! I've submitted 4 staff (1858) complaints and have the right to do so, but they refused to process. I want them processed. I want Kidnap Ransom etc Removed!

To be released and I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

to be released and I  
 payed 100.00 For every day  
 kept illegally locked up Executed on:

8-31-22

Date

  
 Signature of Plaintiff

350,000.00  
 105 100,000.00 mental anguish  
 PAIN & SUFFERING!

## CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

## DEFENDANTS

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff 3 Federal Question  
(U.S. Government Not a Party)
- 2 U.S. Government Defendant 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	422 Appeal 28 USC § 158	375 False Claims Act
120 Marine	310 Airplane	690 Other	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability	LABOR	PROPERTY RIGHTS	400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	710 Fair Labor Standards Act	820 Copyrights	410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	720 Labor/Management Relations	830 Patent	430 Banks and Banking
151 Medicare Act	340 Marine	740 Railway Labor Act	835 Patent—Abbreviated New Drug Application	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	751 Family and Medical Leave Act	840 Trademark	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	790 Other Labor Litigation	SOCIAL SECURITY	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	791 Employee Retirement Income Security Act	861 HIA (1395ff)	480 Consumer Credit
190 Other Contract	360 Other Personal Injury	IMMIGRATION	862 Black Lung (923)	490 Cable/Sat TV
195 Contract Product Liability	362 Personal Injury—Medical Malpractice	462 Naturalization Application	863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange
196 Franchise	CIVIL RIGHTS	465 Other Immigration Actions	864 SSID Title XVI	890 Other Statutory Actions
REAL PROPERTY	PRISONER PETITIONS		865 RSI (405(g))	891 Agricultural Acts
210 Land Condemnation	440 Other Civil Rights		FEDERAL TAX SUITS	893 Environmental Matters
220 Foreclosure	441 Voting		870 Taxes (U.S. Plaintiff or Defendant)	895 Freedom of Information Act
230 Rent Lease & Ejectment	442 Employment		871 IRS—Third Party 26 USC § 7609	896 Arbitration
240 Torts to Land	443 Housing/ Accommodations			899 Administrative Procedure Act/Review or Appeal of Agency Decision
245 Tort Product Liability	445 Amer. w/Disabilities— Employment			950 Constitutionality of State Statutes
290 All Other Real Property	446 Amer. w/Disabilities—Other			
	448 Education			
	HABEAS CORPUS			
	463 Alien Detainee			
	510 Motions to Vacate Sentence			
	530 General			
	535 Death Penalty			
	OTHER			
	540 Mandamus & Other			
	550 Civil Rights			
	555 Prison Condition			
	560 Civil Detainee— Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation—Transfer 8 Multidistrict Litigation—Direct File

## VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

## ACTION

Brief description of cause:

## VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, Fed. R. Civ. P.

DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND: Yes No

## VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

DOCKET NUMBER

## IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND

SAN JOSE

EUREKA-MCKINLEYVILLE

DATE

SIGNATURE OF ATTORNEY OF RECORD